

REMARKS

The claims remaining in the present application are Claims 23- 31 and 26-42. Claim 23 has been amended. Claims 17-22 and 32-35 have been canceled, without prejudice. Claims 36-42 have been added. No new matter has been added as a result of these amendments.

35 U.S.C. §112

Claims 17-22 and 32-35 are rejected under 35 U.S.C. §112, ¶1, written description with respect to the claim limitations, "passive detection tests." Claims 17-22 and 32-35 have been cancelled, without prejudice. Therefore, the rejection is moot.

35 U.S.C. §102

Claims 17-35 are rejected under 35 U.S.C. §103 as being unpatentable over Abler et al., U.S. Pat. No. 6,504,851 B1 (hereinafter, Abler) in view of Blackwell et al, U.S. Patent 5671251 (hereinafter, Blackwell). Claims 17-22 and 32-35 have been cancelled, without prejudice. Therefore, the rejection to Claims 17-22 and 32-35 rendered is moot. The rejection to Claims 23-31 is respectfully traversed for the following reasons.

Amended Independent Claim 23 recites, in part:

a receptacle having a plurality of electrical connecting lines, wherein a signal received on at least one of said plurality of electrical

connecting lines is used to detect more than one type of communication protocol used in a connection to be made directly to said receptacle, such that said more than one type of communication protocol can be used in a connection made to said receptacle without requiring use of an intermediate connection device.

Abler teaches detection of Ethernet, Token Ring, and ATM LAN protocols.

Abler teaches listening for signals on various electrical lines for protocol detection. However, in contrast to Claim 23, Abler teaches that each protocol is detected by listening on different electrical lines. Abler teaches that Ethernet protocol is detected by listening on contacts 3/6 (col. 7, lines 37-43). Abler teaches that Token ring protocol is detected by receiving a signal on contacts 4/5. Abler may teach sending a signal on lines 3/6; however, for detection the signal must loop back and return on lines 4/5 (col. 8, lines 14-24).

Abler teaches that ATM protocol is detected by a signal on lines 7/8 (col. 9, lines 6-7 and 24-26). Abler may use RJ-45 contacts 7/8 to detect ATM-155 and ATM-25. However, Applicants note that this does not teach or suggest the claimed limitations because both ATM-155 and ATM-25 are an *ATM protocol*.

Blackwell fails to remedy these deficiencies in Abler. For the foregoing reasons, Claim 23 is neither taught nor suggested by Abler in view of Blackwell.

Claims 24-31 depend from Claim 23, which is believed to be allowable for the foregoing reasons. Therefore, Applicants earnestly request allowance of Claims 24-31.

New Claims

Claims 36-42 have been added. No new matter has been added.

Independent Claim 36 recites, in part:

A peripheral component that allows modem, Integrated Services Digital Network (ISDN), or Local Area Network (LAN) connection to a host computing device via said peripheral component, said peripheral component comprising:

...

connection type detection logic that allows determination of said connection between modem, ISDN, and LAN; and

switching logic adapted to couple appropriate ones of the electrical connecting lines to said connection type detection logic to allow detection between modem, ISDN, and LAN to the peripheral component.

Applicants respectfully assert that the cited art neither teaches nor suggest the claimed peripheral component that allows modem, ISDN, or LAN connection to a host computing device via said peripheral component comprising the above limitations.

Applicants further respectfully assert that it would not be obvious to one of ordinary skill in the art to modify Abler to arrive at the claimed limitations of allow[ing] detection between modem, ISDN, and LAN to the peripheral component. Abler teaches an ordered procedure for setting a transceiver (or transceivers) such that different types and speeds of LANs are detected. The rejection asserts that Abler could be modified to allow detection of ISDN or modem. However, the mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modifications. *In re Fritch*, 23 USPQ 2d 1780, 1783-84 (Fed. Cir. 1992) (emphasis added).

To support the suggestion in the art to modify Abler, Applicants understand the rejection to assert that 1) it is well known in the art that modem and ISDN connections can use the standardized RJ-45 connector disclosed by Abler, and 2) modifying Abler would allow one interface card to be used for reception of more/all connection types/protocols from a common connector.

Applicants respectfully assert that the above stated reasons do not suggest the desirability of the modifications. That is, the stated reasons do not suggest the desirability of the combination claimed. For example, Abler

teaches a device that can detect different types and speeds of LANs, which have the commonality of all being local area networks. Applicants respectfully assert that the prior art does not suggest the desirability of a device that can detect between the claimed combination of LAN, modem, and ISDN.

Further, Applicants respectfully assert that the rejection's assertion is using the Applicants claims in hindsight as a blueprint for modifying Abler and using only what the Applicants have taught against the Applicants.

Determination of obviousness cannot be based on the hindsight combination of components selectively culled from the prior art to fit the parameters of the patented invention. There must be a teaching or suggestion within the prior art, or within the general knowledge of a person of ordinary skill in the field of the invention, to look at particular sources of information, to select particular elements, and to combine them in the way they were combined by the inventor. *ATD Corporation v. Lydall, Inc.* 48 USPQ2d 1321, 1329 (Fed. Cir. 1998).

For all of the foregoing reasons, Applicants respectfully assert that Abler fails to teach or suggest New Claim 37. Claims 38-41 are believed to be allowable based on their dependence from Claim 37.

Claim 42 recites, in part:

determining if said peripheral component is coupled to a LAN;

...

determining if said peripheral component is coupled to a modem;

...

determining if said peripheral component is coupled to an ISDN.

For at least the reasons discussed with respect to Claim 36, Claim 42 is respectfully believed to be allowable.

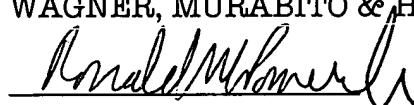
CONCLUSION

In light of the above listed amendments and remarks, reconsideration of the rejected Claims is requested. Based on the arguments and amendments presented above, it is respectfully submitted that Claims 23-31 and 26-42 overcome the rejections of record and, therefore, allowance of Claims 23-31 and 26-42 is solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicants invite the Examiner to contact the Applicants' undersigned representative at the below listed telephone number.

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Respectfully submitted,
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